

Louisiana State Board of Medical Examiners

Information Release

April 3, 2001

PROCEDURES FOR FILING A COMPLAINT AGAINST PHYSICIANS AND OTHER HEALTH CARE PROVIDERS

An individual wishing to file a complaint with the Louisiana State Board of Medical Examiners (the "Board") against a physician or another category of health providers which it licenses, should submit a separate written complaint, for each physician or health care provider, setting forth the conduct or activities complained of with specificity and enclosing copies of all documentation referred to or supportive of the complaint. Include the complete name, business address and phone number of the physician or health care provider and the complainant. Also, include a completed form to permit the LSBME to release a copy of the complaint to the physician or health care provider.

All complaints received are reviewed by the Board's physician Investigating Officer. The Investigating Officer will typically require a complainant to sign a release that authorizes him to send a copy of the complaint to the physician or health care provider in question, to obtain a response to the allegations and copies of any relevant documents, including the complainant's medical records if applicable and if deemed necessary.

This Board's jurisdiction is contained in the Louisiana Medical Practice Act, La. Rev. Sta. 37:1261-92, which circumscribes the limits of its authority to investigate and act against a physician in any given instance. Under the Act, the Board is empowered to take action against a physician only if he or she has violated a specific prohibition contained therein, as particularly set forth by La.

Rev. Sta. 37:1285 or the Board's rules respecting physicians. Similarly, the Board may investigate and take action against another health care provider licensed by the Board (*i.e.*, midwives, podiatrists, physician assistants, occupational therapists and assistants, respiratory therapists and assistants, athletic trainers, acupuncturists, clinical exercise physiologists and clinical laboratory personnel), for violation of one of the statutory provisions or the Board's rules regulating their practice. As a result, the Investigating Officer may initiate an investigation only if he has reasonable cause to believe that a physician or another health care provider within the Board's jurisdiction has violated one of these provisions.

Finally, the Board is not permitted to give medical opinions or medical advice nor does it have the authority to award damages or render any sort of money judgment—only a court of law can do so. The Board's investigative function is limited to the investigation and administrative disposition of allegations of misconduct and the imposition of disciplinary action against physicians and other health care providers for violation of their respective practice acts or the Board's rules.

GENERAL CORRESPONDENCE ADDRESS

Louisiana State Board of Medical Examiners
P. O. Box 30250
New Orleans, Louisiana 70130
Attn: Office of Investigations and Enforcement

TELEPHONE NUMBER

(504) 568-6820 (auto attendant) +3

TOLL-FREE NUMBER TO LSBME OFFICE OF INVESTIGATIONS & ENFORCEMENT

1-800-296-7549.